

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMERICAN STATES INSURANCE  
COMPANY, an Indiana corporation; and  
FIRST NATIONAL INSURANCE  
COMPANY OF AMERICA, a New  
Hampshire corporation,

Plaintiffs,

v.

GREAT AMERICAN INSURANCE  
COMPANY, an Ohio corporation,

Defendant.

GREAT AMERICAN INSURANCE  
COMPANY, an Ohio corporation,

Counter-plaintiff,

v.

AMERICAN STATES INSURANCE  
COMPANY, an Indiana corporation; and  
FIRST NATIONAL INSURANCE  
COMPANY OF AMERICA, a New  
Hampshire corporation,

Counter-defendants.

No. 2:17-cv-01200-RSL

STIPULATION AND ~~[PROPOSED]~~  
ORDER TO CONTINUE MOTION  
TO COMPEL

Note on Motion Calendar: May 29,  
2018

1 The parties to the above-referenced action, by and through their undersigned  
2 counsel of record, hereby jointly move the Court under Federal Rule of Civil Procedure  
3 16(b)(4) and Local Civil Rule 16(b)(5) to continue Defendant Great American Insurance  
4 Company's ("GAIC") pending Motion to Compel (Dkt. 61).

5 GAIC filed its Motion to Compel on May 10, 2018. Dkt. 61. Because the parties  
6 were making progress addressing the concerns identified in the Motion to Compel, GAIC  
7 filed a Notice of Motion Re-Noted to extend the noting date of the motion until Friday,  
8 June 1, 2018. Dkt. 67. Since that time, the parties have continued to work cooperatively  
9 to address the concerns identified in the motion. All motions related to discovery were to  
10 be noted by the close of discovery, June 3, 2018. Dkt. 19.

11 Because GAIC does not want to burden the Court with what now may be  
12 unnecessary motion practice, but wants to preserve its right to have its Motion heard if the  
13 parties are unable to resolve all issues, the Parties respectfully request that the Court  
14 continue this motion to allow the Parties additional time to resolve the issues raised in the  
15 Motion. Good cause exists for a two-week continuance of this Motion, because the  
16 Parties have already reached an agreement that has mooted some of the issues raised in the  
17 Motion, and believe they may be able to come to a resolution which would make the  
18 motion entirely or almost entirely moot.

19 Accordingly, the Parties respectfully request that the Court continue the note date  
20 for GAIC's Motion to Compel (Dkt. 61) to June 15, 2018, and that the related deadlines  
21 for response and reply be altered to June 12, 2018 and June 15, 2018.

22 ///

1 DATED this 29th day of May, 2018.

2  
3 DATED: 5/29/18

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By: s/ Lisa C. Neal per email authority

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12 DATED: 5/29/18

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22 By: s/ Timothy B. Fitzgerald  
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24 DATED: 5/29/18

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1  
2  
3 **ORDER**

4 Pursuant to the above Stipulation, it is hereby ORDERED that GAIC's Motion to  
5 Compel (Dkt. 61) is continued to June 15, 2018, and that the related deadlines for  
6 response and reply are altered to June 12, 2018 and June 15, 2018.

7 IT IS SO ORDERED.

8 DATED this 30<sup>th</sup> day of May, 2018.

9   
10 The Honorable Robert S. Lasnik  
11 United States District Judge

12 Presented by:

13 McNAUL EBEL NAWROT & HELGREN PLLC

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